

**Declaration and Power of Attorney Patent Application
(Design or Utility)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: 'Fuel cell system for generating electric energy and heat'

the specification of which

- ☐ is attached hereto
x was filed on November 27, 2001 as application serial no. 09/980,106
and or PCT International Application number PCT/NL00/00365 and was amended on
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information know to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 35 U.S.C. §365(b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate of PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)		
Number 1012162	Country NL	Day/Month/Year Filed 27-05-1999
Number 1013474	Country NL	Day/Month/Year Filed 03-11-1999
Number	Country	Day/Month/Year Filed

Express Mail Number

EV 009950113 US

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Prior Provisional Application(s)	
Serial Number	Day/Month/Year Filing Date
Serial Number	Day/Month/Year Filing Date
Serial Number	Day/Month/Year Filing Date

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under 35 U.S.C. §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Prior U.S. or International Application(s)		
Serial Number	Day/Month/Year Filed	Status (patented, pending, abandoned)
Serial Number	Day/Month/Year Filed	Status (patented, pending, abandoned)
Serial Number	Day/Month/Year Filed	Status (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Power of Attorney

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Attorney

Registration Number

Stanley M. Schurgin	20,979
Charles L. Gagnebin III	25,467
Victor B. Lebovici	30,864
Beverly E. Hjorth	32,033
Holliday C. Heine	34,346
Gordon R. Moriarty	38,973
James F. Thompson	36,699

I hereby authorize them or others whom they may appoint to act and rely on instructions from and communicate directly with the person/organization who/which first sends this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instructed otherwise.

Please direct all correspondence in this case to at the address indicated below:

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
United States of America

1-00

Full Name of Sole or First Inventor		
Family Name Scholten	First Given Name Anton	Second Given Name
Residence and Citizenship		
City of Residence Apeldoorn	State or Country of Residence The Netherlands <i>NL</i>	Country of Citizenship The Netherlands
Post Office Address		
Street Address Henriette van Eijklaan 36	City Apeldoorn	State & Zip Code or Country 7321 LE
Signature of Inventor <i>A. Scholten</i>		Date 12/18/2001

2-00

Full Name of Second Inventor, if any		
Family Name van Nisselrooij	First Given Name Petrus	Second Given Name Franciscus, M., T.
Residence and Citizenship		
City of Residence Nijmegen	State or Country of Residence The Netherlands <i>NL</i>	Country of Citizenship The Netherlands
Post Office Address		
Street Address Van Welderenstraat 50	City Nijmegen	State & Zip Code or Country 6511 MN
Signature of Inventor <i>P. van Nisselrooij</i>		Date 12-7-2001

205040-9010850

300

Full Name of Third Inventor, if any		
Family Name <u>der Kinderen</u>	First Given Name <u>Joannes</u>	Second Given Name <u>Maria</u>
Residence and Citizenship		
City of Residence <u>Twello</u>	State or Country of Residence <u>The Netherlands</u> <i>NH</i>	Country of Citizenship <u>The Netherlands</u>
Post Office Address		
Street Address <u>Verdijkstraat 29</u>	City <u>Twello</u>	State & Zip Code or Country <u>7391 SJ</u>
Signature of Inventor <i>[Signature]</i>		Date <u>07-12-2001</u>

4-a

Full Name of Fourth Inventor, if any		
Family Name <u>Freese</u>	First Given Name <u>Heinz</u>	Second Given Name <u>Werner</u>
Residence and Citizenship		
City of Residence <u>Apeldoorn</u>	State or Country of Residence <u>The Netherlands</u> <i>NH</i>	Country of Citizenship <u>Germany</u>
Post Office Address		
Street Address <u>Klingmakersdonk 513</u>	City <u>Apeldoorn</u>	State & Zip Code or Country <u>7326 GR</u>
Signature of Inventor <i>[Signature]</i>		Date <u>10-12-2001</u>

205040 30700550